

Legal news

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IMPORTANT LEGAL DOCUMENTS

1. **Members of the Board of Directors of enterprises operating condominium buildings must participate in training and improvement of professional knowledge and professional operation management skills with respect to condominium buildings**

This content was stipulated in Circular No. 14/2011/TT-BXD dated November 25, 2011 of the Ministry of Construction promulgating the regulations on activities of training and improving professional knowledge and professional operation management skills with respect to condominium buildings (“Circular 14”).

Accordingly, Circular 14 prescribes the contents related to the activities of training and improving professional knowledge and professional operation management skills with respect to condominium buildings (including the multi-storey buildings for the mixed usage purpose, which have the residential housing areas), as stipulated in Decree No. 71/2010/ND-CP dated June 23, 2010 detailing and providing guidelines for the implementation of Law on Residential Housing.

Subjects compulsorily participating in the course of training and improving the professional knowledge and professional operation management skills with respect to condominium buildings are comprised of:

- (a) Members of the Boards of Directors of the enterprises managing the operation of the condominium buildings;
- (b) The heads of technical, security, fire safety and fire protection and fighting, environmental hygiene teams; and operation foremen of the condominium buildings.

(Hereinafter collectively called “trainees”).

The frame program on training and improving the professional knowledge and professional operation management skills with respect to condominium buildings for the trainees includes two parts:

- (a) Basic knowledge:
 - (i) Basic knowledge of the laws on land, construction, residential housing and real estate business, and related legislation;
 - (ii) Knowledge of the laws on quality control, management and operation of condominium buildings.
- (b) Professional knowledge and professional operation management skills of condominium buildings:
 - (i) Special topic on Managing the operation, warranty and maintenance of the houses, electricity supply system, and water supply and drainage system inside and outside the condominium buildings. The outline contents are as follows:

- Managing the operation of electricity supply system, and water supply and drainage system inside or outside the condominium buildings (to state the main structures and operation principles of the systems and handling of the technical incidents occurred during the operation);
 - The warranty of the condominium buildings, machinery and equipment system, electricity supply equipment, and water supply and drainage equipment inside and outside the condominium buildings (including warranty contents, warranty duration and expenses, including the commonly-owned areas and privately-owned areas of the condominium buildings);
 - The maintenance of the condominium building, machinery and equipment system, electricity supply equipment, and water supply and drainage system inside and outside the condominium building (including maintenance contents, maintenance process and expenses, including the commonly-owned areas and privately-owned areas of the condominium buildings); and
 - The responsibilities and coordination mechanisms between the operation management enterprises and the Owners, Management Boards, local authorities and construction contractors, construction equipment suppliers (electricity supply system, water supply and drainage system, etc.).
- (ii) Special topic on Managing the operation, warranty and maintenance of ventilation - heating systems in the condominium buildings. The outline contents are as follows:
- Managing the operation of the ventilation - heating systems in the condominium buildings (to state the main structures and operation principles of the systems and handling of the technical incidents during the operation);
 - The warranty of ventilation - heating systems (warranty contents, warranty duration and expenses);
 - The maintenance of ventilation - heating system (maintenance contents, maintenance process and expenses);
 - The responsibilities and coordination mechanisms between the operation management enterprises and the Owners, the Management Boards, local authorities and contractors supplying the ventilation - heating systems.
- (iii) Special topic on Managing the operation, warranty and maintenance of elevators in the condominium buildings. The outline contents are as follows:
- Managing the operation of the elevators in the condominium buildings (to state the main structures,

- operation principles, capacities, speeds, and lifting capacity of the elevators and the handling of technical incidents during the operation);
 - The warranty of elevators (warranty contents, warranty duration and expenses);
 - The maintenance of elevators (maintenance contents, maintenance process and expenses);
 - The responsibilities and coordination mechanisms between the operation management enterprises and the Owners, the Management Boards, local authorities and contractors supplying elevators.
- (iv) Special topic on Managing the operation, warranty and maintenance of fire protection and fighting equipment systems; on safety of fire protection and fighting; on protection, rescue, salvage and response to natural calamities in the condominium buildings. The outline contents are as follows:
- Managing the operation of machines and equipment of fire protection and fighting, and on-site rescue and salvage (to state the main structures and operation principles of the systems and handling of technical incidents during the operation);
 - The warranty of machines and equipment of fire protection and fighting, rescue, and salvage (warranty contents, warranty duration and expenses);
 - The maintenance of machines and equipment of fire protection and fighting, rescue, and salvage (maintenance contents, process and expenses);
 - A number of knowledge and professional skills related to the safety of fire protection and fighting, to the protection, rescue, salvage and response to natural calamities in the condominium buildings; and
 - The responsibilities and coordination mechanisms between the operation management enterprises and the Owners; the Management Boards; local authorities; and fire protection and fighting, rescue, and salvage agencies.
- (v) Special topic on Managing the sanitation, environment and landscape of the condominium buildings. The outline contents are as follows:
- Managing the operation of machines, equipment, garbage pits, sanitation, environment, and landscape (to state the main structures and operation principles of systems and handling of the technical incidents during the operation);
 - The warranty of machines, equipment and garbage pits for sanitation and environment (warranty contents, duration and expenses);

- The maintenance of machines, equipment and garbage pits for sanitation and environment (maintenance contents, process and expenses); and
- The responsibilities and coordination mechanisms between the operation management enterprises and the Owners, the Management Boards, local authorities and the urban environment management agencies.

At the end of training course, the trainees have to pass two exams, including:

- (a) Practicing and actual survey, comprising the following contents:
 - (i) To practice security, safety of fire protection and fighting, rescue, salvage and response to natural calamities in the condominium buildings; and
 - (ii) To conduct actual survey of the operation management work in a number of condominium projects (including the multi-storey houses for mixed usage purpose, which have the residential housing area); to write final-training report.
- (b) To take the theory examination of final course in the form of test.

After completing the examination, the trainees shall be granted with Certificates of completion of training and improvement course on professional knowledge and professional operation management skills with respect to the condominium buildings within a maximum term of 10 days from the date on which the legal representative of the training center signs decision on granting certificates to the trainees.

Circular 14 will come into full force and effect as from 8 January 2012. After at least 12 months from the effective date of Circular 14, the trainees must have certificates of completion of training course to be eligible to participate in the operation management; in case of detecting the above-mentioned subjects participating in the operation management of the condominium buildings without such certificates, subject to the seriousness of their violations, the director of operation management enterprise and relevant individuals shall be dealt with as stipulated, have to make compensation (if any), and be prosecuted for criminal liability according to provisions of law.

2. Reducing 50% of land rentals payable in 2011 and 2012

This policy was approved by the Prime Minister in Decision No. 2093/QĐ-TTg dated November 23, 2011 on reduction of land rentals in years 2011 and 2012 with respect to a number of economic organizations (“Decision 2093”).

According to Decision 2093, the Prime Minister decided to reduce 50% of land rentals in years 2011 and 2012 in favour of economic organizations operating in manufacture sectors (exclusive of organizations operating in commerce and services sectors), which currently lease land in the form of land lease with annual land rental payment and which in years 2011 and 2012 must determine the land rental unit price in accordance with provisions of Decree No. 121/2010/ND-CP dated December 30, 2010 amending and

supplementing Decree No. 142/2005/ND-CP dated November 14, 2005 on the collection of land and water surface rentals, if they satisfy the following conditions:

- (a) Using the leased land for the proper purpose and in compliance with provisions of the laws on land; and
- (b) Having the land rental amount re-determined according to the provisions of Decree No. 121/2010/ND-CP dated December 30, 2010 in increase of twice or more in comparison with the land rental payable in year 2010 (applicable to leased land with the same using purpose and the same land area calculated for the collection of land rental).

Beneficiaries of the policy stipulated in Decision 2093 include:

- (a) Economic organizations, which have reached the point of time for re-determination of the land rental unit price for the new stable stage;
- (b) Economic organizations, which run out of time of land rental exemption and have reached the point of time for determination of the payable land rental amount; and
- (c) Economic organizations, which have used land prior to March 1, 2011 and which are entitled to temporarily pay land rental, but as from March 1, 2011, must officially re-determined the payable land rental amount.

Land rental after being reduced as stipulated must not be less than the amount payable for year 2010 (applicable to leased land with the same using purpose and land area calculated for the collection of land rental). In the event that after being reduced, the land rental is still twice as high as the land rental payable for year 2010, then, land rental payable by the economic organizations for years 2011 and 2012 shall be reduced to an amount equal to twice the land rental payable for year 2010.

In the meantime being considered to reduce land rental by competent authorities, economic organizations that are subjects as stipulated in Decision 2093, are allowed to temporarily pay land rentals at the rates paid in year 2010; after the competent authorities have decided to reduce the land rental, such economic organizations shall pay any short balance (if any) and not be fined for late payment of such balance. In the event that the competent authorities decided not to reduce the land rent, then, the economic organizations shall continue to pay the short balance of land rental as stipulated and shall also not be subject to any penalty for late payment of such balance.

For the cases where economic organizations are operating in the manufacture sectors (exclusive of the organizations operating in the commerce and services sectors) have entered into land lease contracts with competent State authorities in compliance with the laws on the collection of land rentals, if such land lease contracts specify payable annual land rentals, then, the concerned enterprises shall continue to implement the signed land lease contracts.

Decision 2093 shall come into full force and effect as from the date of signing.

3. Inspection activities of Social Insurance have to be conducted at Governmental offices, in office hours

The above-mentioned contents are stipulated in Decision No. 1313/QĐ-BHXH dated November 22, 2011 of Vietnam Social Insurance (“Decision 1313”).

Accordingly, General Director of Vietnam Social Insurance promulgated the Regulations on inspection activities of Vietnam Social Insurance accompanying Decision 1313 (“*Regulations on inspection*”).

Subjects of inspection under the Regulations on inspection include:

- (a) Agencies, organizations and individuals that participate in and are beneficiaries of social insurance (hereinafter called “SI”) and health insurance (hereinafter called “HI”) in accordance with provisions of Law on SI and Law on HI;
- (b) Medical examination and treatment establishments covering SI, SI collection agencies and SI payment representatives; and
- (c) Individuals and units under the system of Vietnam SI.

Contents of inspection include:

- (a) To inspect organizations employing and managing persons who participate in SI and HI, and individuals participating in and being beneficiaries of policies of SI and HI:
 - (i) The registration and implementation of obligations to contribute to and to manage dossiers of participation in SI and HI; and management and use of social insurance books and health insurance cards;
 - (ii) The settlement and payment of SI benefits to employees.
- (b) To inspect the implementation of HI policies in medical examination and treatment establishments in accordance with provisions of the Law on HI.
- (c) To inspect the implementation of contracts by HI collection agencies and SI payment representatives.
- (d) To inspect the compliance with laws and regulations of Vietnam SI with respect to units and individuals in the SI branch:
 - (i) The implementation of SI and HI policies;
 - (ii) The implementation of financial management in accordance with the provisions of law and guidelines of Vietnam SI;
 - (iii) The inspection, settlement of complaints and denunciations, and reception of citizens; and
 - (iv) The execution of public duties by cadres, and public officials and servants.

Inspection activities are conducted in compliance with the following principles:

- (a) Inspection activities of SI must be conducted on the basis of approved programs and plans. In necessary cases, unexpected inspections may be conducted according to decisions of competent persons;
- (b) Inspection activities have to be complied with the laws and regulations of the SI branch; be accurate, objective, faithful, public, democratic and timely; be in accordance with contents, objects, prescription and time specified in inspection decisions.
- (c) During the implementation of inspection, do not affect the implementation of duties of agencies, organizations and individuals that are subjects of the inspection.
- (d) Inspection activities of authorities implementing functions of inspection and examination, and other inspection and audit are not conducted identically with respect to the same inspection subjects at the same time.
- (e) When working with inspected subjects or during the verification and collection of evidences, the inspection team must be comprised of at least two members and implement at Governmental office, in office hours. Contents of working with inspected subjects have to be recorded in minutes between the parties. In necessary cases, inspection activities conducted outside office hours have to be agreed by the Head of inspection team, and Heads of agencies or units, or individuals that are inspected.

And process thereof as follows:

- (a) Preparing the inspection
 - (i) Issuing inspection decision

Form of inspection decision is made in accordance with Standard Form No. 01/QD-KT, and inspection outline is made in accordance with Standard Form No. 02/DC-KT, which was issued together with Decision 1313.

Time-limit for implementation of an inspection of SI at all levels (including interbranch inspection) was stipulated to be no more than 45 days applicable to Vietnam SI, no more than 20 days applicable to provincial SI, and no more than 10 days applicable to district SI.
 - (ii) Delivering inspection decision

Inspection decision accompanying inspection outline is delivered to inspection subjects at least 10 days prior to the date on which the inspection team shall come to work.
- (b) Implementing the inspection
 - (i) Announcing the inspection decision;
 - (ii) Implementing the inspection; and

- (iii) Preparing and approving the inspection minutes;
- (c) Finishing the inspection
 - (i) Reporting on results of the inspection

Within 15 days after finishing the inspection, the Head of inspection team has the responsibility for preparing and reporting on results of the inspection to the person issuing the inspection decision.
 - (ii) Concluding after the inspection

Within 10 days from the date on which the person issuing inspection decision considers to give conclusion of the inspection, the Head of inspection team must submit the written conclusion after inspection, decision on recovery of money and assets (if any) due to violations or make a dossier accompanied by a written proposal (in case of transfer to competent authorities for settlement) to be signed by the person issuing inspection decision for issuance.
 - (iii) Implementing conclusion after inspection

In case there is any complaint for conclusion after inspection, the person issuing inspection decision directs the consideration, settlement of complaints of inspected subjects within 30 days from the date of receiving the complaint.
 - (iv) Re-inspection is the consideration of the inspection results if there is one of the following grounds:
 - Inspected subjects complain for inspection results in case of having reasonable reasons;
 - There are grounds to believe that results of the inspection do not correctly reflect the reality or the inspection team has mistakes in identifying and evaluating issues; and
 - Inspection results are protested by competent State authorities in accordance with the laws.

Process of re-inspection of the inspection's results shall be implemented as process of inspection. The prescription of re-inspection is 2 years from the date of signing the conclusion after inspection. Time-limit for re-inspection must not exceed the duration of the inspection.
 - (v) Archive of inspection dossiers

Within 30 days from the date of issuance of written conclusion after inspection, the Head of inspection team makes dossier of the inspection to be stored in accordance with the laws. A dossier of inspection is comprised of: inspection decision; inspection minutes; reports, explanations of inspection subjects; reports on inspection results; conclusions after inspection; written proposal for the settlement (if any) and other relevant documents.

Decision 1313 replaces Decision No. 3592/QD-BHXH dated December 27, 2006 of General Director of Vietnam SI and shall be effective as from January 1, 2012.

4. Exemption from Personal Income Tax and reduction of Value-Added Tax by 50% until the end of 2012

This content is specified in Decree No. 101/2011/ND-CP dated November 4, 2011 detailing the implementation of Resolution No. 08/2011/QH13 of the National Assembly additionally promulgating a number of tax solutions to solve difficulties for enterprises and individuals (“Decree 101”).

According to Decree 101, small and medium - sized enterprises employing many labors are entitled to reduction of corporate income tax in 2011. Details are as follows:

- (a) 30% of corporate income tax amounts payable in 2011 by small and medium - sized enterprises, except for the tax on income from the business in lottery, real estate, securities, finance, banking or insurance, and income from production of goods and trade in services subject to special consumption tax and except for enterprises classified at grade I and special grade under the economic groups, corporations and enterprises, which are the companies organized under the model of parent company – subsidiary company where the parent company is not a small and medium - sized enterprise and holds more than 50% of owners’ equity of the subsidiary company.
- (b) Reducing 30% of corporate income tax amounts payable in 2011 by enterprises employing many labours, which operate in the field of manufacture; doing outwork; processing products of agriculture, forestry, aquaculture, textile and garment, footwear, electronic components; and construction of socio - economic infrastructures.

Reduced amount of corporate income tax mentioned above is the tax amount calculated for quarterly temporary payments and the payable remaining tax amount under the tax finalization of 2011. Enterprises must enter into separate accounts incomes from activities eligible to reduction of corporate income tax as mentioned above. In case of being unable to enter into separate accounts the incomes from the activities eligible to reduction of tax, the taxable income for calculating the reduced tax amount is determined by the percentage (%) between the revenue of the activities eligible to reduction of tax and total revenues in 2011. Enterprises entitled to reduction of corporate income tax as mentioned above are enterprises established and operating under the laws of Vietnam; implementing the regime on accounting, invoices and vouchers in accordance with the laws, and paying taxes by declaration.

Enterprises conducting business in guest-houses, care of children and supply of shift meals are entitled to reduction of value-added tax, personal income tax and corporate income tax. Specifically:

- (a) Reducing 50% of lump-sum tax of value-added tax and personal income tax from July 1, 2011 till the end of December 31, 2011 with respect to: households and individuals conducting business in guest-

houses, and rooms used for lease by workers, students, pupils; households and individuals caring for children and households, individuals supplying shift meals for workers.

- (b) Reducing 50% of payable value-added tax and corporate income tax arising from July 1, 2011 till the end of December 31, 2011 with respect to activity of supplying shift meals to workers (excluding the activity of supplying shift meals to transportation and airline enterprises, and other business activities) of the enterprises.

Households, individuals doing business and enterprises entitled to reduction of tax mentioned above must commit to stabilize the price rates for renting out guest-houses and rooms, caring of children, and supplying of shift meals in 2011 as those in December 2010.

Individuals entitled to exemption from or reduction of personal income tax applicable to each specific case as follows:

- (a) With respect to dividends distributed to individuals from activities of investment in securities market, capital contribution or shares purchase in enterprises other than dividends distributed from joint stock banks, financial investment funds and credit institutions: exemption from personal income tax from August 1, 2011 till the end of December 31, 2012.
- (b) With respect to incomes from activities of transfer of securities by individuals: reduction of 50% of personal income tax amount from August 1, 2011 till the end of December 31, 2012.
- (c) With respect to individuals having taxable incomes from salaries and wages and from business up to the level of imposing personal income tax at grade 1 of the partially progressive tax tariff stipulated in Article 22 of Law on Personal Income Tax: Exemption from personal income tax from August 1, 2011 till the end of December 31, 2012.

Taxable incomes taken as the basis for determining the above-mentioned exemption from tax is the average taxable incomes of individuals, which are actually received in 2011.

This Decree 10 shall take effect as from December 20, 2011. If at the same time enterprises are entitled to various tax incentives for an income, they may select the most favourable tax incentive. In case enterprises are being in the time to be entitled to corporate income tax incentives as prescribed by law, the corporate income tax amount reduced under provisions of this Decree shall be calculated on the remaining tax amount after having subtracted the corporate income tax amount under such corporate tax incentives.

5. Issuing the guidance on conversion of Government bonds

On November 9, 2011, the Ministry of Finance issued Circular No.150/2011/TT-BTC providing guidelines for the conversion of Government bonds (“Circular 150”).

According to Circular 150, “*Conversion of Bonds*” means purchase and sale, at the same time, of two (2) different bonds, issued by an issuing entity at the

same time for the purpose of restructuring bonds portfolio. The Circular 150 guides the conversion of Government bonds and the registration, depository and listing applicable to convertible bonds.

The applicable subjects under the Circular 150 include:

- (a) The State Treasury;
- (b) Holder of converted bonds;
- (c) Hanoi Stock Exchange (HNX);
- (d) Vietnam Securities Depository; and
- (e) Related organizations and individuals.

Bonds conversion is carried out in accordance with the following principles:

- (a) To be implemented according to the Bonds Conversion Plan approved by relevant authority;
- (b) To ensure the principle of par value according to market price, publicity and transparency in conversion;
- (c) To comply with the provisions of the law and specific regulations of this Circular.

And in either of the following approaches:

- (a) The State Treasury will issue new bonds on the conditions and terms decided by the State Treasury with a view to convert currently-circulated bonds; or
- (b) The State Treasury will supplementally issue certain volume of bonds on the conditions and terms of a type of currently-circulated bond to convert to another type of currently-circulated bond.

The convertible bonds must meet the following conditions:

- (a) In case of being converted:
 - (i) Being a bonds currently listed in Hanoi Stock Exchange with remaining maturity of at least 1 year;
 - (ii) Not being bound by any secured transactions at the time of conversion.
- (b) In case of converting:
 - (i) In case of issuance of supplementary bonds, it must meet a condition that the bonds are currently listed in Hanoi Stock Exchange, and terms and conditions of bonds are the same as those of currently-circulated ones;
 - (ii) In case of being initially issued, bonds must ensure that their term must be at least 1 year or more. Conditions and terms of bonds shall be prescribed by the State Treasury on the basis of negotiations with bond holders.

The State Treasury is responsible to report to the Ministry of Finance on the result of bonds conversion within five (5) working days from the completion date of bonds conversion. The contents of report include:

- (a) Registered conversion volume of each type of bonds being converted in the bond conversion installment of each bond holder.
- (b) Net volume of actually-converted bonds in each type of bonds being converted.
- (c) Discount interest rates applicable to each holder of bonds being converted in accordance with each type of bonds being converted.
- (d) Code of converting bonds and net volume of conversion with respect to each code.
- (e) Discount interest rates applicable to each bond holder according to code of converting bonds.

This Circular takes effect after 45 days from the signing date and is applied to the conversion of bonds since 2011 in accordance with Bonds Conversion Plan approved by competent authorities./.

Other Sectors

Finance - Banking

- On November 24, 2011, the Ministry of Finance issued Circular No.169/2011/TT-BTC providing guidelines for the implementation of a number of articles of Decree No. 185/2004/ND-CP dated November 4, 2011 and Decree No.39/2011/ND-CP dated May 26, 2011 amending and supplementing a number of articles of Decree No. 185/2004/ND-CP on administrative sanctions in the field of accounting.
- Circular No. 166/2011/TT-BTC dated November 17, 2011 of the Ministry of Finance providing for the management and use of costs of preparation of projects and expenditures for operations of the competent State agencies in the process of management of projects; a number of financial indicators of project contracts; conditions for and methods of payments to investors implementing projects under the Build - Transfer contracts; finalizing the value of project works being implemented in the form of contracts on Build - Operate - Transfer; Build - Transfer - Operate, Build – Transfer.
- On November 17, 2011, the Ministry of Finance stipulated Circular No.164/2011/TT-BTC providing for the management of revenues and expenditures in cash through the State Treasury system.
- Circular No. 160/2011/TT-BTC dated November 16, 2011 of the Ministry of Finance on the amendment and supplement to Circular No. 56/2007/TT-BTC dated June 8, 2007 of the Ministry of Finance providing guidelines for the management regime, costume allocation; extraction for establishment and use of the funding source from 2% extracted on amounts actually paid to the State Budget, which has been discovered by the State Auditor.
- On November 11, 2011, the State Bank of Vietnam issued Circular No. 35/2011 TT-NHNN providing for the publication and provision of information by the State Bank.
- Circular No. 147/2011/TT-BTC dated November 1, 2011 of the Ministry of Finance providing for the management and use of expenditures funded by the State Budget for implementing the prevention of and fighting against the harmful effects of tobacco.

Taxation

- On November 25, 2011, the Ministry of Finance stipulated Circular No.170/2011/TT-BTC providing guidelines for the implementation of Decision

No. 54/2011/QD-TTg dated October 11, 2011 of the Prime Minister on the deferment of the payments of corporate income tax in 2011 applicable to enterprises employing many labours in a number of branches in order to solve difficulties, to contribute to boosting production and business.

- Circular No. 153/2011/TT-BTC dated November 11, 2011 of the Ministry of Finance providing guidelines for non-agricultural land use tax.

Trade

- On November 16, 2011, the Government issued Decree No. 105/2011/ND-CP on dealing with the administrative violations in the field of trade in liquefied petroleum gas.
- Decree No. 104/2011/ND-CP dated November 16, 2011 on sanctioning the administrative violations in the field of trade in gasoline and oils.
- On November 29, 2011, the Prime Minister stipulated Decision No. 2120/QD-TTg on the establishment of the National Steering Committee on “one-door” mechanism of ASEAN and national “one-door” mechanism of customs.
- Decision No. 2544/QD-TCHQ dated November 28, 2011 of the General Department of Vietnam Customs promulgating the electronic customs process for goods brought into or out of export processing enterprises.
- On November 21, 2011, the Ministry of Finance issued Circular No.168/2011/TT-BTC providing guidelines for the State statistics on customs with respect to exported and imported goods.

Labour

- Inter-ministerial Circular No. 39/2011/TTLT-BYT-BTC dated November 11, 2011 of the Ministry of Health and the Ministry of Finance providing guidelines for the procedures for payments of medical examination and treatment costs to health insurance participants to whom traffic accidents occur.
- On November 18, 2011, the Ministry of Labour, War Invalids and Social Affairs stipulated Circular No. 33/2011/TT-BLDTBXH providing guidelines for the implementation of regime on working time and rest time applicable to workers doing seasonal jobs and works of processing goods for export according to orders.
- Circular No. 32/2011/TT-BLDTBXH dated November 14, 2011 of the Ministry of Labour, War Invalids and Social Affairs providing guidelines for the implementation of technical verification of occupational safety for the machines, equipment and materials subject to strict occupational safety requirements.

- On November 3, 2011, the Ministry of Labour, War Invalids and Social Affairs issued Circular No. 31/2011/TT-BLDTBXH providing guidelines for the implementation of a number of articles of Decree No. 34/2008/ND-CP dated March 25, 2008 and Decree No. 46/2011/NĐ-CP dated June 17, 2011 amending and supplementing a number of articles of Decree No. 34/2008/ND-CP dated March 25, 2008 providing for the employment and management of foreigners working in Vietnam.

Education

- Decision No. 63/2011/QĐ-TTg dated November 10, 2011 of the Prime Minister on the amendment of and supplement to a number of articles of the Regulation on organization and operation of private universities and colleges accompanying Decision No. 61/2007/QĐ-TTg dated April 17, 2009 of the Prime Minister.
- On November 2, 2011, the Prime Minister stipulated Decision No. 1951/QĐ-TTg on the development of education, training and vocational training in the Central Highlands provinces and mountainous districts of the provinces bordering the Central Highlands for the period from 2011 to 2015.
- Circular No. 54/2011/TT-BGDĐT dated November 15, 2011 of the Ministry of Education and Training promulgating the Charter of professional intermediate-level schools.
- On November 11, 2011, the Ministry of Education and Training issued Circular No. 52/2011/TT-BGDĐT providing for the conditions for and dossiers and processes of opening education disciplines, suspending enrollment, and recovering decisions on the opening of education disciplines at professional intermediate level.
- Circular No. 51/2011/TT-BGDĐT dated November 3, 2011 of the Ministry of Education and Training providing for the national periodical assessment of learning results of students in general education establishments.

Health

- On November 30, 2011, the Government stipulated Decree No. 108/2011/ND-CP amending a number of articles of Decree No. 69/2010/ND-CP dated June 21, 2010 on the biosafety with respect to genetically-modified organisms, genetic samples and products of genetically engineered organisms.
- Decree No. 102/2011/ND-CP dated November 14, 2011 on the liability insurance in medical examination and treatment.
- On November 15, 2011, the Prime Minister issued Decision No. 2038/QĐ-TTg approving the overall Scheme on the treatment of medical wastes for the period from 2011 to 2015, with orientation to 2020.

- Decision No. 2013/QD-TTg dated November 14, 2011 of the Prime Minister approving the Strategy for Population and reproductive Health in Vietnam for the period from 2011 to 2020.
- On November 10, 2011, the Prime Minister stipulated Decision No. 2002/QD-TTg on the establishment of the national coordination Centre on human body transplant under the Ministry of Health.
- Decision No. 1958/QD-TTg dated November 4, 2011 of the Prime Minister approving the detailed planning on development and application of radiation in health activities up to 2020.
- On November 14, 2011, the Ministry of Health issued Circular No. 41/2011/TT-BYT providing guidelines for the issuance of practicing certificates to practitioners and the issuance of operation licenses to medical examination and treatment establishments.
- Circular No. 40/2011/TT-BYT dated November 14, 2011 of the Ministry of Health repealing Decision No. 08/2005/QD-BYT dated March 11, 2005 of the Minister of Health promulgating the standards of branch: Standards for hygiene applicable to all kinds of toilet.

Transport

- On November 2, 2011, the People's Committee of Ho Chi Minh City issued Decision No. 68/2011/QD-UBND on the adjustment to clarify a number of articles of Decision No. 66/2011/QD-UBND dated October 22, 2011 amending and supplementing a number of articles of the regulation on restrictions to and licensing for circulation of trucks in the inner of Ho Chi Minh City accompanying Decision No. 121/2007/QD-UBND dated September 19, 2007 of the People's Committee of Ho Chi Minh City.
- Circular No. 58/2011/TT-BGTVT dated November 28, 2011 of the Ministry of Transport providing for the compulsory marine pilotage areas of Vietnam.
- On November 22, 2011, the Ministry of Public Security stipulated Circular No.76/2011/TT-BCA on the assignment of responsibilities and cooperation relations in the investigation and settlement of transport accidents by the People's Police force.
- Circular No. 56/2011/TT-BGTVT dated November 17, 2011 of the Ministry of Transport promulgating 6 national technical codes on land road motorized vehicles.
- On November 17, 2011, the Ministry of Transport issued Circular No.55/2011/TT-BGTVT amending and supplementing a number of articles of "Regulations on recognition and management of operations of laboratories

specialized in transport construction" accompanying Decision No.14/2008/QD-BGTVT dated August 21, 2008 of the Minister of Transport.

- Circular No. 75/2011/TT-BCA dated November 17, 2011 of the Ministry of Public Security on the amendment of and supplement to Point 3.1.7, Clause 3, Article 7 of Circular No. 36/2009/TT-BCA dated October 12, 2010 providing for the registration of vehicles and bikes.
- On November 8, 2011, the Ministry of Transport stipulated Circular No.54/2011/TT-BGTVT providing for the marine signaling and marine notification.

Construction - Land

- Decision No. 2106/QD-TTg dated November 28, 2011 of the Prime Minister recognizing that Nam Dinh City is the urban city of Category I directly under Nam Dinh Province.
- On November 22, 2011, the Prime Minister issued Decision No. 2084/QD-TTg approving the adjustment in general planning on construction of Nam Dinh City up to 2025.
- Decision No. 2082/QD-TTg dated November 21, 2011 of the Prime Minister approving the Planning on construction of the South Nghe An and North Ha Tinh region up to 2025.
- On November 16, 2011, the Prime Minister stipulated Decision No. 2060/QD-TTg approving the adjusted tasks of general Planning of Da Lat City up to 2030, with orientation to 2050.
- Decision No. 61/2011/QD-TTg dated November 8, 2011 of the Prime Minister on the exemption from land use levies and land rentals with respect to agricultural land used for the purpose of labour organization and manufacture serving drug detoxification treatment of drug detoxification establishments, which have land allocated or leased by the State.

Natural Resources - Environment

- On November 15, 2011, the Prime Minister issued Decision No. 2034/QD-TTg approving the Project on "Overall survey and assessment of the potential resources of bauxite ore and laterite iron ore in the South of Vietnam".
- Circular No. 158/2011/TT-BTC dated November 16, 2011 of the Ministry of Finance providing guidelines for the implementation of Decree No. 74/2011/ND-CP dated August 25, 2011 on the environmental protection fees for mining.
- On November 11, 2011, the Ministry of Finance stipulated Circular No.152/2011/TT-BTC providing guidelines for the implementation of Decree No.67/2011/ND-CP dated August 8, 2011 detailing and providing guidelines for

the implementation of a number of articles of Law on Environmental Protection Tax.

Science - Technology

- Law No. 04/2011/QH13 dated November 11, 2011 of the National Assembly on the Measurement.
- On November 10, 2011, the Government issued Decree No. 103/2011/ND-CP amending and supplementing a number of articles of Decree No. 133/2008/ND-CP dated December 31, 2008 detailing and providing guidelines for the implementation of a number of articles of Law on Transfer of Technology.
- Circular No. 40/2011/TT-BCT dated November 14, 2011 of the Ministry of Industry and Trade providing for the declaration of chemicals.

Administration - Judiciary

- On November 11, 2011, the National Assembly passed Law No. 03/2011/QH13 on the Denunciations.
- Law No. 02/2011/QH13 dated November 11, 2011 of the National Assembly on the Complaints.
- On November 11, 2011, the National Assembly passed Law No. 01/2011/QH13 on the Archive.
- Decision No. 2059/QD-TTg dated November 16, 2011 of the Prime Minister on the organization and operations of the Central Steering Committee for the pilot implementation of non-organization of People's Councils of urban districts, rural districts and wards.
- On November 9, 2011, the Prime Minister stipulated Decision No. 1992/QD-TTg approving the plan on amendment of and supplement to Decrees providing for the functions, duties, powers and organization structure of the Ministries and Ministry-level agencies.
- Decision No. 71/2011/QD-UBND dated November 10, 2011 of the People's Committee of Ho Chi Minh City promulgating the Regulation on legal reporters of Ho Chi Minh City.
- On November 25, 2011, the Ministry of Finance issued Circular No.171/2011/TT-BTC providing for the management and use of expenditures for the implementation of pilot project on recruiting 600 outstanding university-level young intellectuals to hold the vice chair positions in communal People's Committees in 62 poor districts according to Decision No. 170/QD-TTg dated January 26, 2011 of the Prime Minister.
- Circular No. 21/2011/TT-BTP dated November 21, 2011 of the Ministry of Justice on the management of foreign adoptions offices in Vietnam.

- On November 17, 2011, the Ministry of Finance stipulated Circular No.165/2011/TT-BTC repealing Decision No. 37/2006/QD-BTC dated July 11, 2006 of the Minister of Finance promulgating the price list of services for modification to archive paper documents in Vietnamese.
- Circular No. 15/2011/TT-BNV dated November 11, 2011 of the Ministry of Home Affairs providing for the technical - economic norms of Hygiene of repositories preserving archive documents and Hygiene of archive paper documents.
- On November 9, 2011, the Government issued Circular No. 11/2011/TT-TTCP of the Government Inspectorate providing for the criteria for corruption situation determination and the anti-corruption work assessment.
- Circular No. 148/2011/TT-BTC dated November 7, 2011 of the Ministry of Finance providing guidelines for the setting up of estimates, and management and use of expenditures funded by the State budget to ensure criminal investigation work.

Agriculture - Forestry

- On November 25, 2011, the Prime Minister stipulated Decision No. 2099/QD-TTg on the organization and operations of the Forest Science Institute of Vietnam directly under the Ministry of Agriculture and Rural Development.
- Decision No. 2096/QD-TTg dated November 24, 2011 of the Prime Minister on the additional funding for the Ministry of Agriculture and Rural Development.

Miscellaneous

- On November 24, 2011, the Government issued Decree No. 107/2011/ND-CP detailing Point c, Clause 2, Article 15 of Law on Representative agencies of the Socialist Republic of Vietnam in foreign countries.
- Decision No. 2092/QD-TTg dated November 23, 2011 of the Prime Minister on the organization and operations of the Steering Committee on Innovation and Development of Enterprises.
- On November 7, 2011, the Ministry of Culture, Sports and Tourism stipulated Circular No. 13/2011/TT-BVHTTDL providing for the order of and procedures for elaboration and promulgation of legal documents of the Ministry of Culture, Sports and Tourism.
- Circular No. 33/2011/TT-BTTTT dated November 1, 2011 of the Ministry of Information and Communications detailing the grant of licenses for electronic press operation and specialized press websites.

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